

**HAGNER & ZOHLMAN, LLC**

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Attorney for: Plaintiff  
By: Thomas J. Hagner, Esquire

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ROBERT S. CONRAD, SR.

Plaintiff,

vs.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

CIVIL ACTION NO. 1:08-cv-05416

THE WACHOVIA GROUP LONG-  
TERM DISABILITY PLAN;

Defendant.

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**DECLARATION OF THOMAS J. HAGNER, ESQ.  
IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT**

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**THOMAS J. HAGNER**, of full age, hereby certifies:

1. I am a partner with the firm of Hagner & Zohlman, L.L.C., attorneys for the Plaintiff and submit this Certification in support of Plaintiff's Notice of Motion for Summary Judgment.
2. Exhibit 1 is a true and correct copy of Wachovia Corporation STD and LTD Plans effective 2002.
3. Exhibit 2 is a true and correct copy of Wachovia Corporation STD and LTD Plans effective 2004.
4. Exhibit 3 is a true and correct copy of the 2006 Summary Plan Description.

5. Exhibit 4 is a true and correct copy of letter from client to Wachovia dated December 31, 2004.

6. Exhibit 5 is a true and correct copy of letter from Liberty Mutual to client dated January 11, 2005.

7. Exhibit 6 is a true and correct copy of letter from Liberty Mutual to client dated February 1, 2005.

8. Exhibit 7 is a true and correct copy of letter from client to Wachovia dated March 11, 2005.

9. Exhibit 8 is a true and correct copy of letter from Wachovia to client dated June 23, 2005.

10. Exhibit 9 is a true and correct copy of letter from Liberty to client dated May 11, 2006.

11. Exhibit 10 is a true and correct copy of letter from client to Wachovia dated May 24, 2006.

12. Exhibit 11 is a true and correct copy of letter from client to Liberty dated June 1, 2006.

13. Exhibit 12 is a true and correct copy of letter from client to Liberty dated June 21, 2006.

14. Exhibit 13 is a true and correct copy of letter from client to Liberty dated June 26, 2006.

15. Exhibit 14 is a true and correct copy of letter from client to Wachovia dated June 29, 2006.

16. Exhibit 15 is a true and correct copy of letter from client to Liberty dated August 9, 2006.

17. Exhibit 16 is a true and correct copy of letter from Wachovia to client dated September 5, 2006.

18. Exhibit 17 is a true and correct copy of letter from Liberty to client dated September 21, 2006.

19. Exhibit 18 is a true and correct copy of letter from Liberty to client dated December 7, 2006.

20. Exhibit 19 is a true and correct copy of letter from Liberty to client dated December 8, 2006.

21. Exhibit 20 is a true and correct copy of letter from Liberty to client dated December 17, 2006.

22. Exhibit 21 is a true and correct copy of letter from client to Liberty dated January 6, 2007.

23. Exhibit 22 is a true and correct copy of letter from client to Liberty dated January 6, 2007.

24. Exhibit 23 is a true and correct copy of letter from Liberty to client dated January 10, 2007.

25. Exhibit 24 is a true and correct copy of letter from client to Liberty dated January 11, 2007.

26. Exhibit 25 is a true and correct copy of letter from Liberty to client dated February 15, 2007.

27. Exhibit 26 is a true and correct copy of letter from client to Liberty dated February 20, 2007.

28. Exhibit 27 is a true and correct copy of letter from Liberty to client dated March 23, 2007.

29. Exhibit 28 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Wachovia dated April 24, 2007.

30. Exhibit 29 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Liberty dated April 25, 2007.

31. Exhibit 30 is a true and correct copy of letter from Wachovia to Thomas J. Hagner, Esq. dated May 8, 2007.

32. Exhibit 31 is a true and correct copy of letter from Liberty to Thomas J. Hagner, Esq. dated May 17, 2007.

33. Exhibit 32 is a true and correct copy of letter from Liberty to client dated May 23, 2007.

34. Exhibit 33 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Liberty dated May 23, 2007.

35. Exhibit 34 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Wachovia dated June 6, 2007.

36. Exhibit 35 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Wachovia dated July 6, 2007.

37. Exhibit 36 is a true and correct copy of letter from client to Liberty dated July 17, 2007.

38. Exhibit 37 is a true and correct copy of letter from Liberty to Thomas J. Hagner, Esq. dated July 20, 2007.

39. Exhibit 38 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Wachovia dated August 7, 2007.

40. Exhibit 39 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Wachovia dated September 10, 2007.

41. Exhibit 40 is a true and correct copy of letter from Thomas J. Hagner, Esq. to Wachovia dated September 26, 2007.

42. Exhibit 41 is a true and correct copy of the appeal dated November 13, 2007.

43. Exhibit 42 is a true and correct copy of supplement to appeal dated November 16, 2007.

44. Exhibit 43 is a true and correct copy of denial of appeal dated January 18, 2008.

45. Exhibit 44 is a true and correct copy of appeal dated June 26, 2008.

46. Exhibit 45 is a true and correct copy of Wachovia's response to appeal dated August 28, 2008.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed January 13, 2010.

BY: /s/ Thomas J. Hagner  
Thomas J. Hagner, Esq.